

EXHIBIT B

A.H., ET AL. vs COUNTY OF SAN BERNARDINO, ET AL.
Kristopher Hillebrand on 06/25/2024

1 UNITED STATES DISTRICT COURT

2 CENTRAL DISTRICT OF CALIFORNIA

3

4 A.H., et al,

5 Plaintiffs

6 vs.

Case No.: 5:23-cv-01028-JGB-SHK

7 COUNTY OF SAN BERNARDINO, JUSTIN
8 LOPEZ, and DOES 1-10, inclusive,

9 Defendants

10 AND ALL RELATED CROSS-ACTIONS.

11

12

13 DEPOSITION OF KRISTOPHER HILLEBRAND

14 June 25, 2024

15 10:00 AM

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17 REPORTED REMOTELY VIA TELECONFERENCE

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24 REPORTED BY:
ELIZABETH CHAE
25 CSR No. 14633

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1 2005. And I got out of active-duty service in 2011.

2 Q. And I imagine you went to the police academy at
3 some point?

4 A. Yes, ma'am.

5 Q. And what year was that, if you recall?

6 A. That would have been in 2018.

7 Q. And I imagine you had some training with
8 respect to the use of deadly force at the Academy?

9 A. Yes, ma'am.

10 Q. And did you also generally have some training
11 with respect to police tactics at the Academy?

12 A. Yes.

13 Q. Do you recall the date or approximate date of
14 the incident that we're here to talk about today?

15 A. I believe it was in June.

16 Q. And do you recall what year approximately --
17 what year that was?

18 A. 2021.

19 Q. And do you recall about what time of day it was
20 when you responded?

21 A. It was early in the morning. I think between
22 0200 and 0240 hours, if I remember correctly.

23 Q. And were you in uniform on the date of this
24 incident?

25 A. Yes.

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1 A. I believe it was put out as a traffic stop.

2 Q. And at that time was it your understanding that

3 Deputy Lopez was responding to the incident?

4 A. It was my understanding that he initiated a
5 traffic stop.

6 Q. Okay. And at some point did you hear Deputy

7 Lopez say something to the effect of, "one running"?

8 A. Yes.

9 Q. And is that something you heard over the radio?

10 A. Yes.

11 Q. And you were still in your vehicle at that
12 time?

13 A. Yes, ma'am.

14 Q. At some point did you assign yourself to this
15 call?

16 A. Yes, ma'am.

17 Q. And was there any specific reason that you
18 decided to respond to the call?

19 A. Yes, ma'am.

20 Q. And what was that reason?

21 A. In order to provide assistance to my partner
22 because we ride in single man units.

23 Q. Okay. Was Deputy Lopez your assigned partner
24 on the date of the incident?

25 A. No. We don't really have assigned partners.

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1 what units are there and what units are en route.

2 Q. Okay. Thank you for explaining. At any point
3 before you arrived on scene, did you either hear a radio
4 broadcast or see a message on the computer screen
5 indicating that any other officer was also responding to
6 the incident?

7 A. I don't specifically remember if I saw other
8 units. Yeah, I don't remember. I don't think I was
9 paying attention if other units were responding. I was
10 focused on responding there myself.

11 Q. Okay. And approximately how long did it take
12 you to get to the scene of the incident once you
13 assigned yourself to that call?

14 A. I would estimate about 60 seconds.

15 Q. Okay. And at some point, did you hear Deputy
16 Lopez say over the radio that shots had been fired?

17 A. Something to that effect, yes.

18 Q. And do you recall how you received that
19 information? Was it over the radio or was it on your
20 computer screen or both?

21 A. I initially heard it over the radio, yes.

22 Q. And when you heard that over the radio, were
23 you still in your vehicle traveling to the scene of the
24 incident?

25 A. Yes.

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1 Q. And, just so I'm clear, did you hear Deputy
2 Lopez say something over the radio to the effect that
3 shots had been fired or did you actually hear shots
4 being fired on the radio?

5 A. I heard Deputy Lopez say that shots had been
6 fired. I did not hear any gunshots.

7 Q. Okay. That's what I figured. I just want to
8 make sure I understood that correctly.

9 A. Sure.

10 Q. When you heard that communication over the
11 radio that shots had been fired, at that time, did you
12 have any understanding as to who had fired the shots?

13 A. No.

14 Q. And approximately how much time passed between
15 you hearing the communication that Deputy Lopez had one
16 running and you hearing the communication that shots had
17 been fired?

18 A. Seconds. I can't provide a really good
19 estimate on that. It was a very short period of time.
20 Between when he said he was in a foot pursuit and the
21 first call of shots of fire came out was mere seconds.

22 Q. Okay. Before you arrived at the scene of the
23 incident, did you ever hear any information over the
24 radio that the subject had a gun?

25 A. Not that I recall.

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1 Q. And what was the reason that you did that at
2 that time?

3 A. Due to the nature of the call I was responding
4 to.

5 Q. Did you say anything to Deputy Lopez when you
6 arrived?

7 A. Yes, ma'am.

8 Q. And what did you first say to Deputy Lopez when
9 you arrived?

10 A. I don't remember the exact verbiage I used, but
11 it was something to the effect of, "Where's the gun or
12 is there a gun?"

13 Q. Okay. And what was the reason that you asked
14 him, "Is there a gun or where is the gun?"

15 A. Due to the limited information that I had upon
16 arriving on scene. I wanted to make sure that neither
17 one of us were in an imminent threat posed by somebody
18 who could have a gun still.

19 Q. And before you asked Deputy Lopez, "Where's the
20 gun or is there a gun?"-- before you asked him that, did
21 you ever hear Deputy Lopez state that Mr. Holland had a
22 gun?

23 A. I don't believe so.

24 Q. When you were on scene, did Deputy Lopez ever
25 tell you that he saw a gun?

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1 A. Not that I recall.

2 Q. When you were on scene, did Deputy Lopez ever
3 tell say that he needed to find the gun?

4 A. Not that I remember.

5 Q. As far as you recall, when you were on scene,
6 did Deputy Lopez ever tell anyone to look for a gun? As
7 far as whether you heard that?

8 A. I don't remember hearing that.

9 Q. When you were on scene, did you ever hear
10 Deputy Lopez say that Mr. Holland said he had a gun?

11 A. That's not really a yes-or-no answer. If I
12 could elaborate?

13 Q. Sure. What did Deputy Lopez say to you when
14 you were on scene after you asked him, "Where's the gun
15 or is there a gun?"

16 A. So Deputy Lopez told me that Mr. Holland had
17 told him he was going to shoot him. Meaning Mr. Holland
18 told Deputy Lopez that Mr. Holland was going to shoot
19 Deputy Lopez.

20 Q. Okay. Is that something that Deputy Lopez told
21 you in response to your question, "Where's the gun or is
22 there a gun?"

23 A. I don't know if it was in response to it or if
24 it was just a spontaneous statement at the time. It
25 could have been either.

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1 Q. Okay. And do you recall when you asked him,

2 "Where's the gun or is there a gun?" he said, "I don't

3 know" or words to that effect?

4 A. Yes.

5 Q. And so I understand you're telling me Deputy

6 Lopez told you that Mr. Holland told him, "I'm going to

7 shoot you," or words to that effect; is that correct?

8 A. Yes, ma'am.

9 Q. Did Deputy Lopez ever tell you that Mr. Holland
10 said, "I have a gun," or words to that effect?

11 A. I don't remember him saying that.

12 Q. When you were on scene, did Deputy Lopez ever
13 tell you that Mr. Holland took a shooting stance?

14 A. No. Me and Deputy Lopez didn't have much of a
15 conversation on scene.

16 Q. Okay, understood. And just one last question
17 on that point, when you were on scene, did Deputy Lopez
18 ever tell you that Mr. Holland turned toward him?

19 A. I don't remember.

20 Q. Okay. Did you observe Deputy Lopez handcuff
21 Mr. Holland?

22 A. Yes.

23 Q. And did you assist with the handcuffing it all?

24 A. I assisted with pulling security on the subject
25 while he was being handcuffed.

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1 Q. Okay. Did you call for medical attention?

2 A. So as I remember it, medical attention was
3 staged already and I called over the radio to notify
4 them it was clear for them to proceed into the scene.

5 Q. Okay. Prior to you calling medical to come
6 into the scene had you seen the medical vehicles or
7 anything like that on the scene?

8 A. Have I ever seen them on--

9 Q. -- no, I just mean when you first arrived at
10 this incident, did you notice that there was an
11 ambulance parked nearby or anything like that?

12 A. No. I arrived pretty quickly so I would have
13 arrived far before anybody else.

14 Q. Okay. Okay. And if you're able to provide an
15 estimate, about how much time passed between you
16 arriving on the scene and parking your vehicle and
17 medical personnel contacting Mr. Holland?

18 A. It's going to be a very loose estimate just
19 because this was a long time ago and I don't -- my sense
20 of time is not great in that situation, but my best
21 estimate would be approximately four minutes.

22 Q. Okay, understood. Did you observe some
23 physical injuries on Mr. Holland?

24 A. Yes.

25 Q. Can you describe the injuries that you

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1 observed?

2 A. Sure. The injury that was noticeable to me was
3 a hole near the top of his head.

4 Q. Did you observe some blood on Mr. Holland?

5 A. Yes.

6 Q. Did you hear Mr. Holland say anything at any
7 point when you were on scene?

8 A. No.

9 Q. Could you hear Mr. Holland making any noises at
10 any point when you were on scene?

11 A. Yes.

12 Q. And can you describe what you heard?

13 A. I can best describe it as maybe two to three
14 bursts of agonal breathing.

15 Q. And did those breaths take place over a period
16 of -- was it approximately 30 seconds?

17 A. That's really hard to estimate accurately, but
18 that sounds right.

19 Q. I think that was something I saw your
20 statement. I don't want to put words in your mouth but
21 I was wondering if that was the time estimate.

22 A. That sounds right.

23 Q. Did you or some other deputies search
24 Mr. Holland at some point?

25 A. Yes.

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1 Q. And who was that, if you know?

2 A. I had visually searched his front waistband
3 once he was rolled over. And another deputy had
4 searched everywhere else basically. I don't remember
5 which deputy it was.

6 Q. Based on your observations, was Mr. Holland
7 taking those breaths that you described while he was
8 being searched?

9 A. I don't remember.

10 Q. At some point did they flip Mr. Holland over
11 onto his back?

12 A. Yes.

13 Q. And you told me you observed a wound to the
14 head. Did you also observe what appeared to be skull
15 fragments?

16 A. Yes.

17 Q. Did you hear at some point an EMT or paramedic
18 pronounce Mr. Holland dead?

19 A. I heard him pronounced dead. I don't remember
20 if it was directly from the EMT or if it was me hearing
21 it put out over the radio. I don't remember which one
22 it would be.

23 Q. Okay. And just an estimate, if you're able to
24 provide one, how much time passed between you hearing --
25 sorry, how much time passed between you first seeing a

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1 paramedic approach Mr. Holland and hearing the
2 communication that Mr. Holland was dead?

3 A. Again, that's another tough one to gauge
4 accurately, but my best -- this one would be a guess.
5 I'd say about a minute.

6 Q. Okay. And putting it another way, did you
7 observe some medical treatment being provided to
8 Mr. Holland?

9 A. By EMS or by deputies?

10 Q. By anybody.

11 A. I observed Sergeant Rios removing medical
12 supplies, from what I understood, in order to treat him.
13 But I didn't directly observe any medical treatment.

14 Q. Okay. So in other words after the paramedics
15 approached, you didn't stand there and watch what they
16 were doing?

17 A. No.

18 Q. Okay, got it. And you mentioned Rios removing
19 a medical kit; is that right?

20 A. Yes, ma'am.

21 Q. Do you know whether Deputy Lopez, if you know,
22 ever provided any medical treatment to Mr. Holland?

23 A. I'm not sure.

24 Q. I asked you earlier about Mr. Holland being
25 searched. Did you observe anyone searching him other

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1 STATE OF CALIFORNIA)

2 I, ELIZABETH CHAE, Certified Shorthand Reporter,
3 in and for the State of California, Certificate No. 14633,
4 do hereby certify:

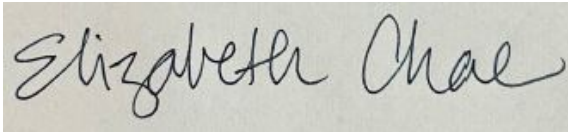
5 That prior to being examined, the witness named
6 in the foregoing deposition was by me first duly sworn to
7 testify to the truth, the whole truth, and nothing but the
8 truth.

9 That said deposition was taken before me at the
10 time and place therein set forth and were taken down by me
11 in shorthand and thereafter transcribed into typewriting
12 under my direction and supervision.

13 I further certify that I am neither counsel for,
14 nor related to, any party to said action, nor in any way
15 interested in the outcome thereof.

16 In witness whereof, I have hereunto subscribed
17 my name.

18 Dated: June 25, 2024

19
20 

21 ELIZABETH CHAE
22 CSR No. 14633

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